

Article - Environment

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§15-816.

(a) The procedure to be followed and standards to be applied in renewing a permit shall be the same as those for the initial application for a permit, except that it is not necessary to resubmit information which has not changed since the time of the original application, if the applicant so states in writing. However, the applicant may be required to furnish other information the Department deems necessary to evaluate the renewal request. In the absence of any changes in legal requirements for the issuance of a permit since the date on which the original permit was issued, the only basis for the denial of a renewal permit shall be:

(1) An uncorrected violation of the type listed in § 15-810(b)(7) of this subtitle;

(2) Failure to submit an adequate mining and reclamation plan in light of conditions existing at the time of renewal; or

(3) Failure or refusal to pay the renewal fee.

(b) Application for a renewal of a permit cannot be made any earlier than 1 year prior to the expiration date of the original permit.

(c) Except as otherwise provided in subsection (d) of this section, the fee to be charged for a permit renewal shall be \$12 for each acre of affected land for each year of operation, but not exceeding \$1,000 per year.

(d) The fee shall be paid annually during the term of the permit.

(e) If the term of a permit which is renewed exceeds 5 years, the permittee shall pay additional fees, based on the formula in subsection (c) of this section, for each 5-year portion of the term of the renewed permit. These additional fees shall be paid to the Department within 1 year before the completion of any 5-year portion of the term of the permit.

(f) If the Department denies an application to renew a permit, the Department shall give the permittee written notice of:

(1) The Department's determination;

and (2) Any changes in the application that would make it acceptable;

(3) The permittee's right to a hearing at a stated time and place.

(g) The date for the hearing may not be less than 15 days nor more than 30 days after the date of the notice unless the Department and the permittee mutually agree on another date.

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